

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Packet No. A-65353-6/RFT/RMS/RMK

Appointed Classification of this Application:

Class: Subclass:

Prior Application

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL

NUMBER EL821722513US

DATE OF DEPOSIT

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITE WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POS OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, DC 20231.

TYPED NAME VINCENT DIAZ

SIGNED

Box PATENT APPLICATION FEE

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original  
☒ Continuation  
☐ Divisional  
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Stephen L. MAYO; Bassil I. DAHIYAT; D. Benjamin GORDON; Arthur STREET; Yaoying SU

(Names of ALL Applicants)

for APPARATUS AND METHOD FOR AUTOMATED PROTEIN DESIGN

(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part  
claims priority to pending application Serial Nos. 09/127,926, filed on July 31, 1998; 60/043,464, filed on April 11, 1997; 60/054,678, filed on August 4, 1997; 60/061,097, filed on October 3, 1997; 09/058,459, filed on April 10, 1998 and 60/087,561, filed on June 1, 1998.

1. (a) ☐ Enclosed is a new application.
- (b) ☐ Enclosed is a continuation-in-part application.
- (c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
- (b) ☒ Enclosed is a copy of the prior Declaration as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
- (b) ☒ A Small Entity Affidavit is of record in the prior application.
4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355		\$710
TOTAL CLAIMS	40 - 20 =	20	× 9 =	180	× 18 =	\$
INDEP CLAIMS	4 - 3 =	1	× 40 =	40	× 80 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED	<u>X</u> yes <u>  </u> no		+135 =	135	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$710	TOTAL	\$

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File A-65353-6/RFT/RMS/RMK).
6. ☒ Our checks in the amount of \$ 710.00 are enclosed (\$395.00 & \$315.00).
7. ☒ Cancel in this application original claims 2-29 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☐ Amend the specification by inserting before the first line the sentence:  
-This is a ☐ continuation ☐ divisional ☐ continuation-in-part  
of application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
9. (a) ☒ Informal drawings are enclosed (14 sheets).  
(b) ☐ Formal drawings are enclosed.
10. (a) ☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119/120.  
(b) ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
11. ☒ The prior application is assigned of record to The California Institute of Technology
12. ☒ The power of attorney in the prior application is to:
- Name: Robin M. Silva, Esq.  
Address: FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Four Embarcadero, Suite 2400  
San Francisco, CA 94111
- (a) ☒ The power appears in the original papers in the prior application.  
(b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
(c) ☐ A new power has been executed and is enclosed.  
(d) ☒ Address all future communications to:  
Robin M. Silva, Esq.  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249
13. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/127,926 as originally filed on July 31, 1996.

Date:

3/19/01

Signature: 

Renee M. Kossiak, #47,717  
for Robin M. Silva, Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

☒ Attorney or agent of record

☐ Filed under Section 1.34(a)